

REMARKS/ARGUMENTS

Claims 1-21 and 35 are pending in the instant application; claims 22-34 have been withdrawn from consideration. Claims 1-21 and 35 are currently under consideration and stand rejected. Claims 1, 2, 3 and 13 are also objected to for informalities. Applicants have amended claims 1, 2, 3, 5, 14 and 18 and have cancelled claims 7, 8, 13 and 20. Applicants believe that the pending claims in the current form are in allowable form and earnestly solicit the allowance of claims 1-6, 9-12, 14-19, 21 and 35.

The specification is objected to because the Examiner states, "On page 9, lines 7 – 8, the text is unclear". Applicants have amended the specification to clarify the description on page 9, lines 7 – 8. It is Applicants' belief that this objection should now be withdrawn.

Claims 1, 2, 3 and 13 are objected to because of informalities. In response, Applicants have amended claims 1, 2, and 3 and have cancelled claim 13. In the amended claims, "said free end of said dispenser body" is changed to "a dispensing tip of said dispensing end". Support for this amendment can be found on page 9, line 2. Claim 3 is amended and is now dependent on claim 2. Claim 13 has been cancelled. These amendments and corrections are fully responsive and the objections to these claims should be withdrawn.

Claims 13 and 20 are rejected under 35 U.S.C. 112, first paragraph, the written description requirement. Applicants respectfully traverse this rejection. However, and solely for sake of expedition and without admitting to the adequacy of the Examiner's case of unpatentability, Applicants hereby cancel claims 13 and 20. Applicants reserve the right to prosecute these claims in one or more continuation applications. Applicants respectfully submit that the objections to the specification and the drawings related to these claims should also be withdrawn.

Claims 1-12, 14-15 and 17-21 have been rejected under 35 U.S.C. 102 (e) as being anticipated by Martinsky. Applicants wish to clarify that the Martinsky reference the Examiner referred to is the one listed on Applicants' Information Disclosure Statement (US 6,101,946). Assuming the reference considered by Examiner is the Martinsky U.S. Patent number 6,101,946, Applicants respectfully traverse the rejection and submit that the instant claims are not anticipated by Martinsky. While Applicants agree with Examiner that "Martinsky teaches a pin with flat tip 32", Martinsky does not teach a claimed apparatus. Specifically, the shaft 28 of the Martinsky device is of a circular structure (Figures 2A, 3B). As such, the Martinsky device does not contain an elongate dispenser body having a first major surface and a second major surface, as defined in the only independent claim that is pending. In view of the foregoing,

Applicants respectfully assert that the Examiner's rejection can not be sustained and should be withdrawn.

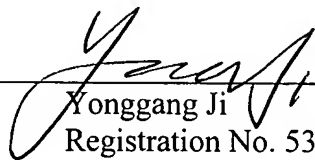
Claims 1-3, 5-7, 9-14 and 16 have been rejected under 35 U.S.C. 102 (e) as being anticipated by Moynihan, et al (US 6,365,349). Applicants respectfully traverse the rejection and submit that the instant claims are not anticipated by Moynihan, et al. Specifically, Moynihan, et al. teaches modified spring probes with a modified tip (Figures 2B and 4B). As such, the Moynihan, et al. device does not contain an elongate dispenser body extending between a dispensing end and an adapter end, whereas the elongate dispenser body has a first major surface and a second major surface, and the elongate dispenser body defining a fluid reservoir opening on the first surface for receiving a fluid to be dispensed, as defined in the only independent claim that is currently pending. In view of the foregoing, Applicants respectfully assert that the Examiner's rejection can not be sustained and should be withdrawn.

In view of the foregoing, Applicants respectfully assert the Examiner's rejections can not be sustained and should be withdrawn. Applicants believe that the claims, as amended, are in allowable form and earnestly solicited the allowance of claims 1-6, 9-12, 14-19, 21 and 35.

Early and favorable action is earnestly solicited.

Respectfully submitted,


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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on January 27, 2005.

Signature: 

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